

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT, E.D.N.Y.

★ AUG 10 2005 ★

-----X
CITY OF NEW YORK,

:
BROOKLYN OFFICE

Plaintiff,

:
MEMORANDUM & ORDER
00-CV-3641 (JBW) (CLP)

– against –

BERETTA U.S.A. CORP., et al.,

Defendants.
-----X

On August 5, 2005, defendants moved to delay the trial scheduled to begin on September 6, 2005. The court was not in a position to extend the date in view of the trial in *United States v. Eppolito*, 05-cr-192, scheduled to begin in late September following the instant case, and to last some months. On August 3, 2005, the government filed a superseding indictment in the criminal case. On August 9, 2005, the court reset the *Eppolito* trial for December 27, 2005, opening the fall-winter 2005 calendar. The court can now provide a trial date of November 28, 2005 for the instant case should the parties wish it.

If this date is unsatisfactory the court will hear counsel on August 15, 2005 at 11:00 a.m. If it is satisfactory the Magistrate Judge is respectfully requested to reset discovery and motion dates.

S~~O~~ORDERED.

Jack B. Weinstein
Senior United States District Judge

Dated: Brooklyn, N.Y.
August 10, 2005